

1964

CONGRESSIONAL RECORD — SENATE

21019

Little do they know that they meet under an empty sky from which the gods have departed.*

The foreign policy issue in this campaign is as profound as any that has ever arisen between the two great American political parties. The Goldwater Republicans propose a radical new policy of relentless ideological conflict aimed at the elimination of communism and the imposition of American concepts of freedom on the entire world. The Democrats under President Johnson propose a conservative policy of opposing and preventing Communist expansion while working for limited agreements that will reduce the danger of nuclear war. The Republicans build their policy on the ideologies that divide the world; the Democrats look beyond ideology to the common hopes, the common interests, and the common dangers that unite the human race.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—CLOTURE MOTION

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. PROXMIRE. Mr. President, I reluctantly rise again in the morning hour to make the same point I previously made; namely, that it is extremely important to emphasize and underline the fact that those of us who oppose the Dirksen amendment and those who favor the Dirksen amendment have taken only 26 hours to discuss the question pro and con. There have been no "live" quorum calls, no attempts at delay, no nongermane debate, and no opportunity for many Senators who oppose the Dirksen amendment to speak even once.

On the bases of the most careful study that my staff can make, this would be the shortest debate ever to be cut off by cloture in the history of the Senate. Anyone who argues that a vital issue is not at stake has not studied the issue; he has not considered what some of the most outstanding lawyers in the country have said about the issue.

A week ago last Sunday, the Washington Post published an article, one of the authors of which was the dean of the Yale Law School. He said, in effect, that this would destroy the Constitution as we know it. He said it would knock out the vital linchpin of the Constitution: judicial review. It would constitute action by Congress suspending a Supreme Court decision for more than a year and, would create a situation in which malapportioned legislatures could act to pass a constitutional amendment that would nullify the action of the Supreme Court.

If anything could be serious enough to warrant extensive debate and thorough consideration, it is this particular issue. For the Senate to adopt a cloture motion after this very limited opportu-

nity to discuss the issue would be a mockery of the historical reputation the Senate has earned for extensive, thorough, and careful consideration, as the one important body in any major country on the face of the earth that permits thorough, careful debate.

I observe that the distinguished senior Senator from Illinois [Mr. DOUGLAS] has entered the Chamber. He has been a strong proponent of limiting debate in the past, as I have; but he and I are agreed that there should not be a limitation of debate that does not permit thorough and complete discussion of a vital issue. I invite his attention to the fact that the Senate has had only 26 hours in which to debate this amendment in the past month.

Mr. HART. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Michigan.

Mr. HART. I was occupying the chair of the Presiding Officer when the senior Senator from Wisconsin began. I am delighted that I am able now to respond. The Senator from Wisconsin has been a Member of the Senate longer than I, and neither of us has been here very long, as time and tide run in this establishment.

I have no doubt that the question which confronts us as we are asked to flex our muscles in the direction of the Supreme Court is more basic than any issue that has confronted this body during the time I have been a Member—and we have been confronted with the issues of missiles in Cuba, with civil rights for Americans, the nuclear test ban, with tax cuts to accelerate economic growth, and many other important and, indeed, historic proposals.

I share with the Senator from Wisconsin the belief that never, in the few years I have been permitted to sit here, has the Senate faced a question having more long-term implications than the one now before it in the form of the Dirksen amendment. For this reason, therefore, it seems overwhelmingly clear to me that the precipitate action that would be the result of the imposition of cloture would be most unwise. Each of us would live to regret the precedent that would be established.

There are some who say, "It is not so bad. It would not do as much as you who are critical of the amendment suggest." Before we buy that notion, let us be very sure. There have been no committee hearings; and if ever there was a constitutional issue that required careful study and precise analysis by a committee, this is it. In the absence of such a study, I would be disappointed beyond expression if the Senate, so sensitive to the necessity for full understanding before ultimate action, were to support the cloture motion now on file.

Mr. PROXMIRE. Mr. President, will the Senator yield for a question in connection with that statement?

Mr. HART. I yield.

Mr. PROXMIRE. Is it not true, to the certain knowledge of the Senator from Michigan, that a number of Senators have not yet had an opportunity to speak;

that they feel deeply upon the subject and wish to speak; and that with the very limited time available between now and Thursday, when the vote is scheduled, it is unlikely that some of those Senators will have such an opportunity?

Mr. HART. That is true.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. As the Senator from Wisconsin commented, the senior Senator from Illinois has just returned to Washington. These days are filled with many compelling commitments on the part of Senators. As the Senator from Arkansas [Mr. FULBRIGHT] has just reminded us, a national campaign of overwhelming significance is in progress. Torn between these obligations, it is impossible between now and Thursday that full opportunity for other Members of the Senate to evaluate their expressions would be available.

Mr. PROXMIRE. I thank the Senator from Michigan.

CHICAGO TRIBUNE'S JANEWAY PRAISES STRENGTH OF THE DOLLAR ABROAD

Mr. PROXMIRE. Mr. President, recently Mr. Eliot Janeway, a columnist for the Chicago Tribune, wrote what I think is an excellent article on the solidity and strength of the U.S. dollar abroad. The article is entitled "Flow of U.S. Dollars to Europe Is Needed." In the course of his analysis, Mr. Janeway points out that the dollar has strengthened abroad recently. The reason is foreign confidence in the American economy and our policies, despite our adverse balance of payments. The proof of the pudding, as Mr. Janeway rightly points out, is that foreigners continue to take and hold our dollars, even though our balance of payments is in deficit. The relative shift out of dollars and into gold has been very slight, and not primarily related to a lack of confidence or desirability of the dollar.

If our balance of payments were to come more nearly into balance, I believe—as do most economists—that this would even further strengthen the dollar. The reason is that such a balance implies a relative shortage of dollars, in the same way that balancing our budget means that the Government is not pumping out additional dollars.

Most economists, I believe, are now forecasting that our balance of payments will gradually come into balance. The reasons, in part, are some of our policies; such as, the interest equalization tax, our encouragement of other countries to take on foreign aid expenditures, and our "Buy America" program.

But more basic is the expectation that foreign costs and prices are rising more rapidly than ours, putting us in a relatively better competitive position.

* Hans Morgenthau, "Politics Among Nations," 3d ed. (New York: Alfred A. Knopf, 1960), p. 259.